

REFERENCE TITLE: **community colleges; reverse credits**

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2243

Introduced by
Representatives Knaperek: Allen J

AN ACT

AMENDING SECTION 15-1444, ARIZONA REVISED STATUTES; RELATING TO COMMUNITY COLLEGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-1444, Arizona Revised Statutes, is amended to
3 read:

4 15-1444. General powers of district governing boards

5 A. Except as otherwise provided, the district board shall:

6 1. Maintain each community college for a period of not less than eight
7 months in each year and, if the funds of the district are sufficient,
8 maintain each community college for a longer period.

9 2. Adopt policies in a public forum to offer programs that meet the
10 educational needs of the population served by the community college.

11 3. Enforce the courses of study prescribed by the district board.

12 4. Visit each community college under its jurisdiction and examine
13 carefully into its management, conditions and needs.

14 5. Exclude from each community college all books, publications or
15 papers of a sectarian, partisan or denominational character intended for use
16 as textbooks.

17 6. Appoint and employ a chancellor or chancellors, vice-chancellors, a
18 president or presidents, vice-presidents, deans, professors, instructors,
19 lecturers, fellows and such other officers and employees it deems
20 necessary. The district board may enter into employment contracts with
21 chancellors, vice-chancellors and presidents for a duration of more than one
22 year but not more than five years.

23 7. Determine the salaries of persons it appoints and employs.

24 8. Remove any officer or employee if in its judgment the interests of
25 education in this state require the removal.

26 9. Award degrees, certificates and diplomas upon the completion of
27 courses and curriculum as it deems appropriate.

28 10. Appoint or employ, if it deems necessary, police officers who shall
29 have the authority and power of peace officers. The police officers who have
30 received a certificate from the Arizona peace officer standards and training
31 board are eligible for membership in and benefits under either title 38,
32 chapter 5, article 2 or the public safety personnel retirement system under
33 title 38, chapter 5, article 4.

34 11. Determine the location within the district of a community college
35 and purchase, receive, hold, make and take leases of, sell and convey real or
36 personal property for the benefit of the community colleges under its
37 jurisdiction.

38 12. Obtain insurance or be self-insured, or a combination of insurance
39 and self-insurance, against loss, to the extent it is determined necessary on
40 community college buildings of the district. The local district shall have
41 an insurable interest in the buildings.

42 13. DEVELOP MECHANISMS TO AWARD COMMUNITY COLLEGE CREDITS IN CORE
43 CURRICULUM COURSES TO STUDENTS WHO ORIGINALLY EARNED THOSE CREDITS AT ANY
44 OTHER ACCREDITED PUBLIC OR PRIVATE POSTSECONDARY INSTITUTION IN THE UNITED
45 STATES.

1 B. The district board may:

2 1. Administer trusts declared or created for the district and receive
3 by gift or devise and hold in trust or otherwise property wheresoever
4 located, and if not otherwise provided, dispose of the property for the
5 benefit of the district.

6 2. Lease real property, as lessor or as lessee. If a district is the
7 lessee, the lease may contain an option to purchase the property. The
8 district board may adopt policies as are deemed necessary and may delegate in
9 writing to the chancellor or president of the district, or their designees,
10 all or any part of its authority to lease property under this paragraph. A
11 district board shall not delegate the authority to execute a lease that
12 exceeds one hundred thousand dollars per year. Any delegation by the
13 district board pursuant to this paragraph may be rescinded in whole or in
14 part at any time by the district board.

15 3. Sue and be sued.

16 4. Contract. The district board may adopt such policies as are deemed
17 necessary and may delegate in writing to the chancellor or president of the
18 district, or their designees, all or any part of its authority to contract
19 under this paragraph. Any delegation of authority under this paragraph may
20 be rescinded by the district board at any time in whole or in part.

21 5. Construct, remodel and repair buildings.

22 6. In conjunction with other districts, establish policies for
23 procurement of goods and services.

24 7. Provide a plan or plans for employee benefits which may include
25 optional retirement programs pursuant to section 15-1451, subsection A, which
26 allow for participation in a cafeteria plan that meets the requirements of
27 the United States internal revenue code of 1986.

28 8. Accept grants or donations of monies from the United States, or
29 from any of its agencies, departments or officers, or from persons,
30 corporations, foundations or associations. A district board shall deposit
31 the monies into a specific fund or account and a district board shall
32 administer the monies in accordance with the purpose of the grant or donation
33 with specific policies or restrictions as described or stipulated in the
34 grant or donation. In the case of personal property granted or donated to or
35 for the benefit of a community college district, a district board shall
36 immediately transfer possession and ownership of the property to the
37 designated district.

38 9. Enter into intergovernmental agreements or contracts pursuant to
39 section 11-952.01 for participation in programs offered by public agency
40 pools or separately contract with a trustee or board of trustees that
41 provides a common self-insurance program with pooled funds and risks pursuant
42 to section 15-382, subsection B, paragraph 2. The district board is not
43 required to engage in competitive procurement in order to make the decision
44 to participate in these programs.

1 C. If a district acquires real or personal property, whether by
2 purchase, exchange, condemnation, gift or otherwise, the district shall pay
3 to the county treasurer any taxes on the property that were unpaid as of the
4 date of acquisition, including penalties and interest. The lien for unpaid
5 delinquent taxes, penalties and interest on property acquired by the
6 district:

7 1. Is not abated, extinguished, discharged or merged in the title to
8 the property.

9 2. Is enforceable in the same manner as other delinquent tax liens.

10 D. From and after December 31, 1988, in a district whose boundaries
11 encompass a vehicle emissions control area as defined in section 49-541 the
12 district board shall require all out of county and out of state students to
13 sign an affidavit at the time of course registration that the student's
14 vehicle meets the requirements of section 49-542. From and after December
15 31, 1988, the district board on property under its jurisdiction within a
16 vehicle emissions control area shall prohibit the parking of those vehicles
17 which fail to comply with section 49-542.

18 E. A community college district and a joint technological education
19 district governing board may enter into agreements for the provision of
20 administrative, operational and educational services and facilities.

21 F. Each district may establish a program for the exchange of students
22 between the community colleges under ~~it's~~ THE jurisdiction OF THE DISTRICT
23 and colleges and universities located in Sonora, Mexico. The program may
24 provide for in-state tuition for Sonora students at the community colleges
25 under ~~it's~~ THE jurisdiction OF THE DISTRICT in exchange for similar tuition
26 provisions for Arizona students enrolled or seeking enrollment in Sonora
27 colleges and universities. The community colleges may work in conjunction
28 with the Arizona-Mexico commission in the governor's office to coordinate
29 recruitment and admissions activities to provide for in-state tuition for up
30 to fifty Sonora students at the community colleges under ~~it's~~ THE
31 jurisdiction OF THE DISTRICT in exchange for similar tuition provisions for
32 up to fifty total Arizona students enrolled or seeking enrollment in Sonora
33 colleges and universities.

34 G. Each district shall facilitate transfer articulation coordination
35 pursuant to section 15-1824.